



SECRETARY OF STATE  
**KEVIN SHELLEY**  
STATE OF CALIFORNIA

August 10, 2004

Dear Californian:

Last year, with the assistance of the State Plan Advisory Committee and hundreds of other interested Californians, I created a blueprint for ensuring that all eligible citizens have the opportunity to vote. That plan is titled *My Vote Counts: A California Plan for Voting in the 21<sup>st</sup> Century*. (<http://www.ss.ca.gov/elections/hava.htm>.) It sets forth how California will implement the federal Help America Vote Act of 2002, otherwise known as "HAVA."

Today I am releasing a draft of a proposed 2004 update to that plan for your inspection and comment. You may read the attached copy or view it at <http://www.ss.ca.gov/elections/hava.htm>. Please submit your comments to me by mail, fax or e-mail by September 10, 2004, so they may be considered prior to the publication of my Final State Plan 2004 Update. My contact information is on the cover sheet of the draft.

Please help me ensure that every eligible citizen in California can say with confidence that "My Vote Counts!"

Sincerely,

  
KEVIN SHELLEY  
Secretary of State

Attachment

EXECUTIVE OFFICE 1500 11TH STREET • SACRAMENTO, CA 95814 • [WWW.SS.CA.GOV](http://WWW.SS.CA.GOV)

PROGRAMS ARCHIVES, BUSINESS PROGRAMS, ELECTIONS, INFORMATION TECHNOLOGY, CALIFORNIA STATE HISTORY MUSEUM,  
MANAGEMENT SERVICES, SAFE AT HOME, DOMESTIC PARTNERS REGISTRY, NOTARY PUBLIC, POLITICAL REFORM



## **My Vote Counts: The California Plan for Voting in the 21<sup>st</sup> Century**

### **HAVA California Preliminary State Plan 2004 Update**

**August 10, 2004**

#### **For Public Inspection and Comment**

➤ *Send or Deliver Comments by September 10, 2004, to:*

Secretary of State Kevin Shelley  
Elections Division, HAVA  
1500 11<sup>th</sup> Street  
Sacramento, CA 95814

➤ *Fax Comments by September 10, 2004, to:*

Secretary of State Kevin Shelley  
916-653-3214

➤ *E-mail Comments by September 10, 2004, to:*

Secretary of State Kevin Shelley  
[hava@ss.ca.gov](mailto:hava@ss.ca.gov)

## ***HAVA CALIFORNIA STATE PLAN 2004 UPDATE*** ***(Preliminary-For Public Inspection and Comment)***

**The *HAVA California State Plan 2004 Update* is hereby created as follows:**

The *HAVA California State Plan 2003* submitted to the Federal Election Commission, as custodian for the Election Assistance Commission, on August 27, 2003, and thereafter published in the *Federal Register* by the Election Assistance Commission on or about March 24, 2004, entitled *My Vote Counts-California's Plan for Voting in the 21<sup>st</sup> Century*, is hereby incorporated by reference in its entirety, except the following shall replace the provisions indicated. (The italics are for clarification only.)

**1. Section Six: Budget, beginning on Page 24 of *My Vote Counts-California's Plan for Voting in the 21<sup>st</sup> Century*, is amended as follows:**

- a. The last paragraph of the portion beginning on Page 24 entitled "Voting Systems Standards" is amended on Page 25 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$75,777,843, including costs associated with accessibility for individuals with disabilities and language needs, but actual costs may be less than or more than this amount. In any case, this component shall be the priority in allocating funds.*

- b. The last paragraph of the portion beginning on Page 25 entitled "Provisional Voting" is amended on Page 25 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$600,000 but actual costs may be less or more, with continuing ongoing costs.*

- c. The last paragraph of the portion beginning on Page 25 entitled "Voting Information" is amended on Page 25 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$200,000 but actual costs may be less or more with continued ongoing costs.*

- d. The last paragraph of the portion beginning on Page 25 entitled "Statewide Database" is amended on Page 26 to read as follows:

*Preliminarily, the cost of the statewide database is estimated to be \$40 million but actual costs may be less or more, with substantial ongoing costs.*

- e. The last paragraph of the portion on Page 26 entitled “Requirements for Voters Who Register by Mail” is amended on Page 26 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$1.1 million but actual costs may be less or more with continued ongoing costs.*

- f. The last paragraph of the portion beginning on Page 26 entitled “Voter Education” is amended on Page 26 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$30 million but actual costs may be less or more, with continued ongoing costs.*

- g. The last paragraph of the portion beginning on Page 26 entitled “Elections Official Education” is amended on Page 26 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$20 million but actual costs may be less or more, with continued ongoing costs.*

- h. The last paragraph of the portion beginning on Page 26 entitled “Poll Worker Education” is amended on Page 26 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$20 million but actual costs may be less or more, with continued ongoing costs.*

- i. The last paragraph of the portion beginning on Page 26 entitled “Complaint Procedure” is amended on Page 26 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$300,000 but actual costs may be less or more, with continued ongoing costs.*

- j. The last paragraph of the portion beginning on Page 27 entitled “Voting Rights of Military And Overseas Citizens is amended on Page 27 to read as follows:

*Preliminarily, the cost of this component is estimated to be \$200,000 with continued ongoing costs.*

- k. A paragraph is added on Page 27, following the section titled “Voting Rights of Military And Overseas Citizens” and before the paragraph titled “Summary of Costs And Portions Used to Carry Out Activities,” to read as follows:

*A “Prudent Reserve Fund” of 25% of the requirements payments for FY 2003 and FY 2004 is created to accommodate uncertainties associated with the costs of complying with HAVA and to provide a minimum level of financial support to fund ongoing federal mandates beyond FY 2005-06.*

- l. The portion beginning on Page 27 entitled “Summary of Costs and Portions Used to Carry Out Activities,” including the chart, is amended to read as follows:

*Based on requirements payments of \$94,559,169 for FY 2003 and \$169,677,955 for FY 2004 for a total of \$264,237,124,<sup>22</sup> the best estimates of the distribution is shown in the chart below. \**

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<sup>22</sup> No assumption is made with respect to appropriations made in subsequent years.

ITEM	HAVA MANDATE	HAVA SECTION	COST ESTIMATE	PORTION OF PAYMENT
1	Voting Equipment Modernization	301(a)(2)	\$42,577,718	16.11%
2	Voting Equipment Accessibility for Disabled and Language Minorities	301(a)(3)	\$32,500,125	12.30% (Items 1 + 2 = 28.41%)
3	Accessibility for Language Minorities	301(a)(4)	\$100,000	.04 %
4	Evaluation of Voting Systems	301(a)(5)	\$300,000	.11%
5	Definition of Vote	301(a)(6)	\$200,000	.08%
6	Provisional Ballots Regulations/Guidelines	302(a)(6)	\$100,000	.04%
7	Provisional Ballots Free Access System	302(a)(5)	\$500,000	.19%
8	Postings of Information	302(b)	\$200,000	.08%
9	Statewide Voter Registration Database	302(a)	\$40,000,000	15.14%
10	New Registration Forms	303(a)	\$500,000	.19%
11	Soliciting and Processing Registration Forms	303(a)	\$500,000	.19%
12	Verification of Information	303(a)	\$2,000,000	.76%
13	Identification of Certain Voters Regulations/Guidelines	303(b)	\$100,000	.04%
14	Identification Processes	303(b)	\$1,000,000	.38%
15	Complaint Procedures	402	Included in Item 32	
16	Assistance in Voting	702	\$200,000	.08%
17	Payment Distribution Controls	254(a)(2)	\$200,000	.08%
18	Voter Education Unit	254(a)(3)	\$3,900,000	1.48%
19	County Education Programs	254(a)(3)	\$15,000,000	5.68%
20	Election Official and Poll Worker Education and Training	254(a)(3)	\$25,000,000	9.46%
21	Education Outreach through Print and Electronic Media	254(a)(3)	\$16,100,000	6.09%
22	Education and Training Grants	254(a)(3)	\$10,000,000	3.78%
23	Certification and Decertification of Voting Systems	254(a)(4)	\$600,000	.23%
24	Source Code Review	254(a)(4)	\$800,000	.30%

ITEM	HAVA MANDATE	HAVA SECTION	COST ESTIMATE	PORTION OF PAYMENT
25	Hearings of Voting Systems and Procedures Panel	254(a)(4)	\$200,000	.08%
26	Regulations to Comply with Section 301	254(a)(4)	\$200,000	.08%
27	Fiscal and Audit Control Processes	254(a)(5)	\$600,000	.23%
28	Fiscal and Audit Controls	254(a)(5)	\$3,400,000	1.29%
29	Budget	254(a)(6)	Included in Item 28	
30	Enhancing Rather Than Replacing State Resources	254(a)(7)	Included in Item 28	
31	Performance Goals and Measures	254(a)(8)	\$200,000	.08%
32	Complaint Procedures	254(a)(9) and Section 402	\$300,000	.11%
33	Managing State Plan	254(a)(11)	\$300,000	.11%
34	Poll Monitoring	Other	\$600,000	.23%
35	Prudent Reserve Fund of 25%	Other	\$66,059,281	25.00%
		<b>TOTALS</b>	<b>\$264,237,124</b>	<b>100% of \$264, 237,124</b>

\*Note that continued ongoing costs are not included and that the costs and portions indicated are subject to change based on the variables indicated earlier. Such anticipated changes, unknown at this time, are deemed to be included in this Plan as if set forth in detail.

**2. Section Twelve: Changes to State [Plan] from Previous Fiscal Year, on Page 33 of *My Vote Counts-California's Plan for Voting in the 21<sup>st</sup> Century*, is hereby amended to read as follows:**

***SECTION TWELVE: CHANGES TO STATE PLAN FROM PREVIOUS FISCAL YEAR***

***Section 254(a)(12) Page 75***

***In the case of a state with a State Plan in effect under this Subtitle during the previous fiscal year, a description of how the Plan reflects changes from the State Plan for the previous fiscal year and how the state succeeded in carrying out the State Plan for such previous fiscal year.***

Because of the delay in the creation of the United States Election Assistance Commission, no requirements payment was made to California during the 2003 fiscal year. The 2003 State Plan (the prior fiscal year) was, therefore,

not fully operative. It will become operative, as amended by the HAVA California State Plan 2004 Update, in the current fiscal year (2004). The amendments included herein reflect the only material changes in the State Plans between 2003 and 2004.